

HOUSE BILL 2317

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 69,
Chapter 3, Part 1 and Chapter 293 of the Public
Acts of 2017, relative to animal feeding operations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 1 in its entirety and substituting the following:

Section 1. Tennessee Code Annotated, Section 69-3-103(6), is amended by deleting the subdivision in its entirety.

SECTION 2. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 2 in its entirety and substituting the following:

Section 2. Tennessee Code Annotated, Section 69-3-108, is amended by deleting subdivision (b)(7) in its entirety and substituting the following language:

(7)

(A) The construction, installation, or operation of a liquid waste management system supporting an animal feeding operation that stables or confines as many as, or more than, the numbers of animals specified by federal law defining a medium concentrated animal feeding operation or a large concentrated animal feeding operation;

(B) A state operating permit issued pursuant to this subdivision (b)(7) shall be enforceable only in regards to submission and maintenance of a current approved nutrient management plan;

(C) Animal feeding operations that are not required under this subdivision (b)(7) to have a permit may apply for and be issued a state

operating permit. An animal feeding operation issued a state operating permit pursuant to this subdivision (b)(7) is required to conduct such operations in accordance with the permit;

SECTION 3. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 3 in its entirety and substituting instead the following:

Section 3. Tennessee Code Annotated, Section 69-3-108(b), is amended by adding the following language as a new, appropriately designated subdivision:

(A) Animal feeding operations that are required under the federal Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., to have a permit for concentrated animal feeding operations. Such operations must be conducted in accordance with the conditions of a valid national pollutant discharge elimination system (NPDES) permit;

(B) Animal feeding operations that are not required under the federal Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., to have a permit for concentrated animal feeding operations may apply for and, if eligible under federal law, be issued a national pollutant discharge elimination system (NPDES) permit. An animal feeding operation issued an NPDES permit pursuant to this subdivision (B) is required to conduct such operations in accordance with the permit;

Section 4. Tennessee Code Annotated, Section 69-3-103, is amended by adding the following language as a new, appropriately designated subdivision:

() "Animal feeding operation" has the same meaning as defined by the United States environmental protection agency;

() "Liquid waste management system" means a waste management system that collects, stores, or land applies manure in a liquid, flowable form;

Section 5. This act shall take effect July 1, 2018, the public welfare requiring it.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring

it.